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PTO/SB/21 (08-00)

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Technology Center 2100
FEB 19 2002

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TRANSMITTAL FORM

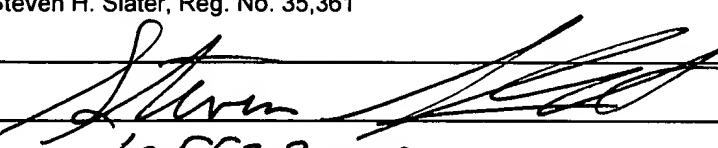
(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	09/832,812
		Filing Date	4/12/2001
		First Named Inventor	Sarkozy, et al.
		Group Art Unit	2185
		Examiner Name	TBD
Total Number of Pages in This Submission	82	Attorney Docket Number	STO-05RI

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Drawing(s) - Amended <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Notice of Litigation Notice of Litigation Dismissal Receipt Card
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Steven H. Slater, Reg. No. 35,361
Signature	
Date	18 FEB 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

 Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 5,382.00)

Complete if Known

Application Number	09/832,812
Filing Date	4/12/2001
First Named Inventor	Sarkozy, et al.
Examiner Name	TBD
Group Art Unit	2185
Attorney Docket No.	STO-05RI

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account

Deposit Account Number	50-1065
Deposit Account Name	Slater & Matsil, LLP.

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
101	740	201	370
106	330	206	165
107	510	207	255
108	740	208	370
114	160	214	80

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	34**	165	Extra Claims	Fee from below	Fee Paid
Independent Claims		44	36		
Multiple Dependent					

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
103	18	203 9 Claims in excess of 20
102	84	202 42 Independent claims in excess of 3
104	280	204 140 Multiple dependent claim, if not paid
109	84	209 42 **Reissue independent claims over original patent
110	18	210 9 **Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$5,382.00)

** or number previously paid, if greater; For Reissues, see above

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY		Complete if applicable		
Name (Print/Type)	Signature	Registration No. (Attorney/Agent)	Telephone	Date
Steven H. Slater		35,361	972-732-1001	18 FEB 02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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SLATER & MATSIL, L.L.P. 08-99
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DALLAS, TX 75252

BANK OF AMERICA
NATIONAL ASSOCIATION
ALLEN, TX 75013-9619
322/1110

2212

2/18/2002

PAY TO THE
ORDER OF Commissioner for Patents

Five Thousand Three Hundred Eighty-Two and 00/100 DOLLARS 

Commissioner for Patents
Washington DC 20231

MEMO Amendment fee for 09832,812 (SPO-05R)

1100 2212 1110000251: 004,7087618811

REISSUE LITIGATION
ART UNIT 2185

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sarkozy, et al.

Attorney Docket: STO-05RI

Filed: 4/12/01

Art Unit: 2185

Serial No.: 09/832,812

Examiner: TBD

Date Hand Delivered: February 19, 2002

Title: Apparatus and Method for Storing Data with Selectable Data Protection Using Mirroring and Selectable Parity Inhibition

Assistant Commissioner of Patents

Received

Washington, D.C. 20231

FEB 19 2002

Technology Center 2100

NOTICE OF LITIGATION DISMISSAL

Dear Sir:

Attached is an Order of Dismissal regarding United States Patent No. 5,893,919. This patent was the subject of a Complaint for Patent Infringement filed on March 22, 2001 by Plaintiff, Storage Computer Corporation, against Defendants, XIotech Corporation, Seagate Technology, Inc. (now known as Veritas Software Technology Corporation), and Seagate Technology LLC (for itself and as successor-in-interest to Seagate Technology, Inc.) in the United States District Court for the Northern District of Texas, Dallas Division, Civil Action No. 3-01CV0555-M. This litigation was settled and dismissed on December 27, 2001.

Please direct all correspondence to Applicants' attorney below.

Respectfully submitted,



Steven H. Slater
Registration No. 35,361

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ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

STORAGE COMPUTER CORPORATION,

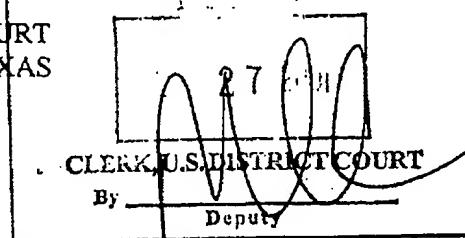
Plaintiff,

v.

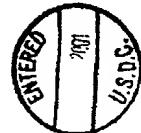
XIOTECH CORPORATION,
SEAGATE TECHNOLOGY, INC.
and SEAGATE TECHNOLOGY LLC,

Defendants.

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS



Civil Action No. 3-01CV0555-M



ORDER OF DISMISSAL

Pursuant to the Stipulation of Dismissal by and between plaintiff Storage Computer Corporation and defendants XIotech Corporation, Seagate Technology, Inc. (now known as Veritas Software Technology Corporation), and Seagate Technology LLC (for itself and as successor-in-interest to Seagate Technology, Inc.), IT IS HEREBY ORDERED THAT:

All claims, defenses and counterclaims in the above-captioned action are dismissed with prejudice;

Each party shall bear its own costs, expenses, and attorneys' fees;

All Orders previously entered in this case are vacated; and

This Court will retain jurisdiction to enforce the settlement reached between the parties.

SO ORDERED, this 27 day of December 2001

Barbara M. Lynn
UNITED STATES DISTRICT JUDGE
BARBARA M. G. LYNN

Order of Dismissal

AGREED AS TO FORM AND SUBSTANCE:

Counsel for Storage Computer Corporation



William O. Fifield
SIDLEY AUSTIN BROWN & WOOD
717 North Harwood, Suite 3400
Dallas, Texas 75201

Dated: October 20, 2001

Counsel for XIotech Corporation, Seagate
Technology, Inc. (now known as Veritas Software
Technology Corporation) and Seagate Technology
LLC (for itself and as successor-in-interest to
Seagate Technology, Inc.)



Roderick G. Dorman
HENNIGAN, BENNETT & DORMAN
601 S. Figueroa Street, Suite 3300
Los Angeles, California 90017

Dated: 12/18/01

REISSUE LITIGATION
ART UNIT 2185

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sarkozy, et al.

Attorney Docket: STO-05RI

Filed: 4/12/01

Art Unit: 2185

Serial No.: 09/832,812

Examiner: TBD

Date Hand Delivered: February 19, 2002

Title: Apparatus and Method for Storing Data with Selectable Data Protection Using Mirroring and Selectable Parity Inhibition

Received

Assistant Commissioner of Patents

FEB 19 2002

Washington, D.C. 20231

Technology Center 2100

NOTICE OF LITIGATION

Dear Sir:

A Notice of Litigation for this case was previously mailed on January 7, 2002. The Art Unit Number and the Examiner listed on the previous notice were incorrect, however, so Applicants are resending the notice to ensure that it is placed into the proper file.

United States Patent No. 5,893,919 is the subject of a Complaint for Patent Infringement filed on October 15, 2001 by Plaintiff, Storage Computer Corporation, against Defendants, Veritas Software Corporation and Veritas Software Global Corporation, in the United States District Court for the Northern District of Texas, Dallas Division, Civil Action No. 3:01-CV-2078-M. Attached is a copy of the Second Amended Complaint filed on November 30, 2002.

While there is concurrent litigation related to this Reissue Application, Applicants request that the action in this Reissue Application not be stayed during the litigation and that this Reissue Application proceed apace.

Please direct all correspondence to Applicants' attorney below.

Respectfully submitted,



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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

STORAGE COMPUTER CORPORATION, §

Plaintiff §

v.

VERITAS SOFTWARE §
CORPORATION and VERITAS §
SOFTWARE GLOBAL CORPORATION, §

Defendants §

NOV 30 2001

CLERK, U.S. DISTRICT COURT

By _____ Deputy

Civil Action No. 3:01-CV-2078-M

JURY TRIAL DEMANDED

SECOND AMENDED COMPLAINT

Plaintiff Storage Computer Corporation ("Storage") files its Second Amended Complaint against Defendant Veritas Software Corporation ("Veritas Corp.") and Veritas Software Global Corporation ("Veritas Global") and as the basis thereof alleges the following:

1. Veritas Corp. and Veritas Global have consented to the filing of this Second Amended Complaint, which comes before any plea, pleading, or answer by Veritas Corp. or Veritas Global.

NATURE OF THE CASE, JURISDICTION AND VENUE

2. This action is based on patent infringement under 35 U.S.C. §§ 271 and 281 and seeks damages, injunctive relief and attorneys' fees under 35 U.S.C. §§ 283, 284 and 285. This Court has jurisdiction over the subject matter of this suit under 28 U.S.C. §§ 1331 and 1338(a).

3. Venue against Veritas Corp. and Veritas Global is proper in this district pursuant to 28 U.S.C. §§ 1391(c) and 1400(b) because each Defendant resides within this judicial district and is subject to personal jurisdiction in this judicial district.

4. Veritas Corp. and Veritas Global are subject to personal jurisdiction in this judicial district pursuant to TEX. CIV. PRAC. & REM. CODE ANN. § 17.042 (Vernon 1997).

Veritas Corp. and Veritas Global are subject to personal jurisdiction in this judicial district because they have directed continuous and systematic activities at this judicial district in the State of Texas, and have, on information and belief, sold infringing products within this judicial district. Additionally, Veritas Corp. has filed a Certificate of Authority with the Texas Secretary of State rendering it subject to suit within this State and judicial district.

PARTIES

5. Plaintiff Storage is a corporation organized under the laws of the State of Delaware, with its principal place of business at 11 Riverside Street, Nashua, New Hampshire 03062.

6. On information and belief, Veritas Corp. is a corporation organized under the laws of the State of California, with its principal place of business at 350 Ellis Street, Mountain View, California 94047. Veritas Corp. may be served with process by serving its registered agent in Texas at the registered address, John Beck, 15851 N. Dallas Parkway, Suite 500, Dallas, Texas 75248. If said registered agent cannot be found at the registered address, Veritas Corp. may be served with process by serving the Texas Secretary of State with duplicate copies of summons and complaint, provided that a copy of the summons and complaint are forwarded to Veritas Corp.' principal office in the state in which it is incorporated, 350 Ellis Street, Mountain View, California 94047.

7. Veritas Global is a corporation organized under the laws of the State of Delaware. On information and belief, Veritas Global has its principal place of business at 350 Ellis Street, Mountain View, California 94047. Veritas Global may be served with process by serving its attorney, David Nelson, Esq., Latham & Watkins, Sears Tower, Suite 5800, Chicago, Illinois 60606.

BACKGROUND

8. Plaintiff Storage is the assignee and lawful owner of all right, title and interest in and to U.S. Patent No. 5,893,919 (the '919 patent) entitled "Apparatus and Method for Storing Data with Selectable Data Protection Using Mirroring and Selectable Parity Inhibition."

9. The '919 patent was duly and properly issued by the U.S. Patent and Trademark Office on April 13, 1999, and is now, and has at all time since its date of issue remained, valid and enforceable. A copy of the '919 patent is attached as Exhibit A.

COUNT I

PATENT INFRINGEMENT

10. Plaintiff incorporates and alleges pars. 1-9 above as if fully set forth herein.

11. Defendants have directly infringed, induced infringement by others, and contributed to the infringement of the '919 patent by, *inter alia*, making, using, offering to sell, and/or selling computer software and other devices which embody the invention of the '919 patent (or its equivalent). It is believed that Defendants will continue to infringe and/or induce infringement unless enjoined by this Court. Defendants' infringement and other actions have caused substantial injury to Plaintiff. On information and belief, each of Defendants' acts were committed knowingly and intentionally and the Defendants' infringement has been willful.

DAMAGES

12. Plaintiff is entitled to damages in accordance with applicable law, including 35 U.S.C. § 284 *et seq.* The amount of money damages that Plaintiff has suffered due to Defendants' acts of infringement has not been calculated but is subject to proof at trial.

RELIEF

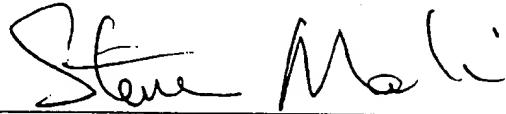
WHEREFORE, Storage Computer Corporation demands judgment against Defendants Veritas Corp. and Veritas Global, and respectfully prays for:

- (a) an accounting by Defendants sufficient to determine damages;
- (b) a finding that this case is exceptional pursuant to 35 U.S.C. § 285
- (c) an award of damages to Storage Computer Corporation from Defendants, jointly and severally, due to Defendants' infringement, contributory infringement and/or inducement of infringement of the '919 patent, and trebling of said award in view of the willful and deliberate nature of Defendants' conduct;
- (d) an award to Storage Computer Corporation of its costs and expenses of suit, including reasonable attorneys' fees for bringing and prosecuting this action;
- (e) an award to Storage Computer Corporation of prejudgment and postjudgment interest;
- (f) orders which preliminarily and permanently enjoin Defendants from infringing, contributing to infringement, and inducing infringement of the '919 patent, and
- (g) an award to Storage Computer Corporation of such other and further relief as the Court may deem just and proper.

A trial by jury is demanded.

Date: 11-30-01

Respectfully submitted,



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ATTORNEYS FOR PLAINTIFF